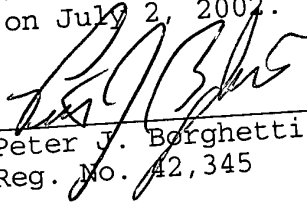


ATTORNEY DOCKET NO.: 28875-102

Rec'd PCT/PTO 09 JUL 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on July 2, 2002.


Peter J. Borghetti
Reg. No. 42,345

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoon-Deuk Seo, et al
Serial Number: 10/031,857 (PCT/KROO/01529)
US Filing Date: October 23, 2001
Priority Date: February 23, 2000
International Filing Date: December 23, 2000
For: APPARATUS AND METHOD FOR SEARCHING DIGITAL AUDIO DATA FILE FROM MEDIA WHERE DIGITAL AUDIO DATA FILES ARE RECORDED

Examiner: N/A

Group Art Unit: N/A
Confirmation No. 8554

Perkins, Smith and Cohen, LLP
One Beacon Street
Boston, MA 02108
(617) 854-4000

TO: Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated April 3, 2002, submitted herewith is an executed Declaration, together with a copy of the Notification of Missing Requirements Under 35 U.S. 371, and a check for \$65.00 (based on small entity status) covering the required fee. Also enclosed are four (4) executed Power of Attorney or Authorization of Agent forms, a Death Certificate of joint inventor Yoon-Deuk Seo (Korean [Attachment A] and English translation [Attachment B]), a Statement of Law regarding the co-inheritors of Yoon-Deuk Seo's proprietary interest in the application [Attachment C], and Civil Act of the Republic of Korea Part V Inheritance [Attachment D].

REMARKS

Pursuant to 37 CFR 1.136(a), Applicants respectfully request grant of a one month extension of time for responding to the Office Action dated April 3, 2002, a Petition for Extension of Time Under 37 CFR 1.36(a) being submitted herewith, along with a check in the amount of \$55.00 (based on small entity status) to cover the filing fee for this request.

Joint inventor Yoon-Deuk Seo died on September 25, 2001 (see Attachments A and B) prior to executing the declaration and other related documents. Yoon-Deuk Seo died without a will or lineal descendents (see Attachment C). Yoon-Deuk Seo's father and mother, Bum-Ho Seo and Bong-Ja Choi, respectively, are his linear ascendants and his legal representatives (see Attachments C and D). Therefore, Bum-Ho Seo and Bong-Ja Choi have authority as the legal representative of deceased joint inventor Yoon-Deuk Seo to make the necessary declaration, and apply for and obtain the letters patent pursuant to 35 USC 117. The citizenship, residence, and mailing address of Bum-Ho Seo and Bong-Ja Choi, the legal representatives of deceased joint inventor Yoon-Deuk Seo are:

Bum-Ho Seo (father), Korean citizen (Civil Reg. No. 370825-1031524), 386-16 Banghak-dong, Dobong-gu, Seoul 132-020, Korea; and

Bong-Ja Choi (mother), Korean citizen (Civil Reg. No. 440906-2031544), 210-302 Yangji Town, Janghang-dong 720, Ilsan-gu, Kyoung-gi, Korea.

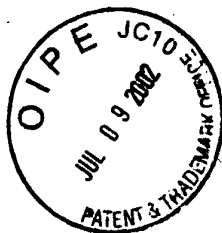
Please charge any underpayment of fees to, or credit any overpayment of fees, to Deposit Account No. 03-2410, Order No. 28875-102.



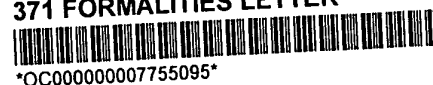
UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,857	Yoon-Deuk Seo	28875-102

 Jerry Cohen
 Perkins Smith & Cohen
 One Beacon Street
 Boston, MA 02108


INTERNATIONAL APPLICATION NO.	
PCT/KR00/01529	
I.A. FILING DATE	PRIORITY DATE
12/23/2000	02/23/2000

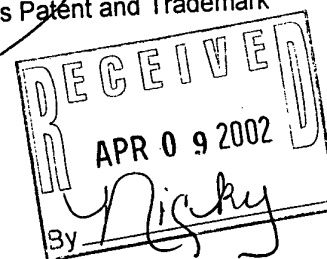
 CONFIRMATION NO. 8554
 371 FORMALITIES LETTER


Date Mailed: 04/03/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of the International Application
- Copy of the International Search Report
- Small Entity Statement



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

4-19-02 Docketed as Rec'd

June 3, 2002 DOCKETED

Response to Notification of Missing Requirements

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,857	PCT/KR00/01529	28875-102

FORM PCT/DO/EO/905 (371 Formalities Notice)

In accordance with Section 714.01 of the M.P.E.P., the following information is presented in the event that a call may be deemed desirable by the Examiner:

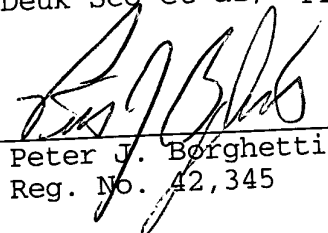
Peter J. Borghetti

(617) 854-4000

Dated: July 2, 2002

Respectfully submitted,
Yoon-Deuk Seo et al, Applicants

By:


Peter J. Borghetti
Reg. No. 42,345

. 28875-102-RespMissingReqmts

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002



TOTAL AMOUNT OF PAYMENT (\$) 120.00

Complete if Known

Application Number 10/031,857 (PCT/KR00/01529)
Filing Date 10/23/01 (23 December 2000)
First Named Inventor Yoon-Deuk Seo
Confirmation No. 8554
Group / Art Unit N/A
Attorney Docket No. 28875-102

1. ☒ The Commissioner is hereby authorized to charge indicated fees (deficiencies only) and credit any over payments to:

Deposit Account Number

03-2410 (Order No. 28875-102)

Deposit Account Name

Perkins, Smith & Cohen, LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Checks ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

2. EXTRA CLAIM FEES

Total Claims -20 = X =
Independent Claims -3 = X =
Multiple Dependent X =

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)
65.00 07

FEE CALCULATION (continued)

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	55
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$120.00)

SUBMITTED BY

Name (Print/Type)

Peter J. Borghetti

Registration No./Attorney/Agent)

42,345

Telephone

(617) 854-4000

Signature

Date

July 2, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

530 Rec'd PCT/PTO

09 JUL 2002 PCT B

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☒Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/031,857 (PCT/KR00/01529)

Filing Date

10/23/01 (23 December 2000)

First Named Inventor

Yoon-Deuk Seo

Group Art Unit

N/A

Confirmation No.

8554

Attorney Docket Number

28875-102

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form☒ Fees Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☒ Extension of Time Request (1 mo)☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☒ Response to Notification of Missing Requirements☒ Response to Missing Requirements under 35 U.S.C. 371☐ Assignment Papers (for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☒ Four (4) executed Power of Attorney forms☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

Copy of Notification of Missing Requirements; executed Declaration; Death Certificate of Yoon-Deuk Seo (Korean/English); Statement of Law; Civil Act of Republic of Korea; and return receipt postcard.

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Peter J. Borghetti, Reg. No. 42,345

Signature

Date

July 2, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: July 2, 2002

Typed or printed name

Peter J. Borghetti

Date

July 2, 2002

Signature

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

[별지 제7호 서식]

사망진단서
(시체검안서)

138

1	성명	서영득	2	성별	남	3	주민등록번호	691219-1031517								
4	실제생년월일	1967년 12월 19일	5	직업												
6	본적	서울시 송파구 송파동 162번지														
7	주소	서울시 강남구 삼성동 447-1 대우아파트 2층 202호														
8	발병인시	년 월 일 시 분 (24시간제에 의함)														
9	사망일시	2011년 9월 25일 21시 45분 (24시간제에 의함) 020														
10	사망장소	주소	국립중앙병원 (송파구 가락동 58) 도학이길 2층													
		장소	① 주택내 ② 의료기관 ③ 시설기관(양로원, 고아원등) <input checked="" type="checkbox"/> D.O.A ⑤ 산업장 ⑥ 공로(도로, 차도) ⑦ 기타(구체적으로 기술)													
11	사망의 종류	① 병사 ② 외인사 ③ 교통사고 ④ 불의의 중독 ⑤ 불의의 추락 ⑥ 기타 및 불상 [⑦ 불의의 익사 ⑧ 자살 ⑨ 타살 ⑩ 기타 사고사]														
12	사망의 원인	<table border="1"> <tr> <td rowspan="3">I</td> <td>(가) 직접사인</td> <td rowspan="3">발병부터 사망까지의 기간</td> </tr> <tr> <td>(나) 중간 선행사인</td> </tr> <tr> <td>(다) 선행사인</td> </tr> <tr> <td>II</td> <td colspan="2">I와 관계없는 기타의 신체상황</td> </tr> </table>							I	(가) 직접사인	발병부터 사망까지의 기간	(나) 중간 선행사인	(다) 선행사인	II	I와 관계없는 기타의 신체상황	
I	(가) 직접사인	발병부터 사망까지의 기간														
	(나) 중간 선행사인															
	(다) 선행사인															
II	I와 관계없는 기타의 신체상황															
	※ (나) (다) 에는 (가) 와 직접 의학적인 인과관계가 명확한 것만을 기입한다.	수습의 주요소견	수년 월 일													
13	의인사의 주가사항	사건발생일시	년 월 일 시 분 (24시간제에 의함)													
		사고종류	① 교통사고 ② 불의의 중독 ③ 불의의 추락 ④ 불의의 익사 ⑤ 자살(방법기술) ⑥ 타살 ⑦ 기타(구체적으로 기술)													
		주소	주 소													
		장소	① 주택내 ② 공공건물 ③ 산업장 ④ 공로(도로, 차도) ⑤ 휴양지 ⑥ 시설기관(양로원, 고아원등) ⑦ 기타(구체적으로 기술) ⑧ 잔모름													
		상황	가. 근무중 나. 근무이외의 시간													

위와 같이 (시체검안)함.

2011년 9월 26일

수검자 서울특별시 송파구
국립경찰병원

3904 호

※ 주 의 : 사망신고는 1월 이내에 관할구청·시청·읍·면사무소에 신고하여야 함

31312-02011일
81. 4. 7 승인

190% x 288%

Ref. No. 138

CERTIFICATE OF DEATH

1	Name	SEO, Yoon-Deuk	2	Sex	Male	3	Civil Reg. No.	671219-1031517
4	Birth Date	1967.12.19	5	occupation				
6	Birth Place	167 Songpa-dong, Songpa-gu, Seoul						
7	Residence	2-2602 Daerim Acrovil, Dogok-dong 167, Kangnam-gu, Seoul						
8								
9	Time of Death	Before 21:45 on September 25, 2001						
10	Place of Death	Address	Previous place before arrival at National Police Hospital					
		Place	Dead on Arrival (DOA)					
11	Type of Death	Unknown						
12	Cause of Death	I	(가) direct cause	unidentified		Duration		
			(나) med. prior cause					
			(다) prior cause					
		II	other					
		Surgical operation	none		date			
		Autopsy						
13	Additional information	Date of accident	none					
		Type of accident						
		Place of accident						

Examined as above.

2001. 09.26

Address : 38 Karakbon-dong, Songpa-gu, Seoul

Name National Police Hospital

Title

Reg. No. 39054

Name of Examiner : Hyung-Sup WON

STATEMENT OF LAW

I, LEE, JooHyoun, who is registered Attorney at General practicing at KCAT Bldg. #615, Samgung-dong, Kangnam-gu, Seoul, Korea state that I am duly recognized to practice in Korea and am familiar with the law of Korea.

With respect to who has the proprietary interest of the inventor, SEO, Yoon-Deuk, now dead. I have reviewed the relevant facts and law of the jurisdiction. By weight of authority in Korea, the proprietary interest of the dead inventor in this invention would be awarded to SEO, Bum-Ho and CHOI, Bong-Ja.

My reasons for reaching this conclusion are set forth below:

SEO, Yoon-Deuk (Korean Civil Reg. No.: 671219-1031517, Address : 661-23, Banghak-dong, Dobong-gu, Seoul 132-020, Korea) was died at September 25, 2001 by unknown reason, which is corroborated by certificated of death attached to this declaration. There was no Wills found at the time of death. SEO, Yoon-Deuk had neither Lineal descendants nor unborn child at the time of death. SEO, Yoon-Deuk had two Lineal ascendants, one of which was SEO, Bum-Ho (Korean Civil Reg. No. : 370825-1031524 Address : 386-16, Banghak-dong, Dobong-gu, Seoul 132-020, Korea), who is father of SEO, Yoon-Deuk and the other was CHOI, Bong-Ja (Korean Civil Reg. No. : 440906-2031544 Address : 210-302 Yangji Town, Janghang-dong 720, Ilsan-gu, Kyoung-gi, Korea), who is mother of SEO, Yoon-Deuk.

Execution of wills ruled by Article 1073 (1) of Civil Act of the Republic of Korea can not be applied. Therefore, according to Article 1000 (1) of said Act, sole and lawful inheritors are SEO, Bum-Ho and CHOI, Bong-Ja, who are Lineal ascendants of the inheritee SEO, Yoon-Deuk. According to Article 1000(2) of said Act, SEO, Bum-Ho and CHOI, Bong-Ja are coinheritors. Shares of these coinheritors SEO, Bum-Ho and CHOI, Bong-Ja are equal according to Article 1009(1) of said Act.

Encls.: 1. Selections of quoted Articles of Civil Act of the Republic of Korea (3 pages)
2. Certificate of death of "A" and its English translation (2 pages)

Date: June 12, 2002

Signature: 

LEE, JooHyoun, Attorney at General

KCAT Bldg. #615, Samgung-dong, Kangnam-gu, Seoul, Korea TEL : +82 2 551 7970 FAX : +82 2 551 7971

Civil Act of the Republic of Korea

	1958-2-22	Act No. 471
Amended By	1962-12-29	Act No. 1237
Amended By	1962-12-31	Act No. 1250
Amended By	1964-12-31	Act No. 1668
Amended By	1970-6-18	Act No. 2200
Amended By	1977-12-31	Act No. 3051
Amended By	1984-4-10	Act No. 3723
Amended By	1990-1-13	Act No. 4199
Amended By	1997-12-13	Act No. 5431
Amended By	1997-12-13	Act No. 5454

PART V INHERITANCE CHAPTER I INHERITANCE SECTION 1 General Provisions

Article 997 (Causes for Commencement of Inheritance)

An inheritance shall be commenced by death.
<Amended by Act No. 4199, Jan. 13, 1990>

Article 998 (Place of Commencement of Inheritance)

An inheritance shall be commenced at the place of domicile of the inheritee.

[This Article Wholly Amended by Act No. 4199, Jan. 13, 1990]

SECTION 2 Inheritor

Article 1000 (Priority of Inheritance)

*(1) In inheritance, persons become inheritors in the following order:
<Amended by Act No. 4199, Jan. 13, 1990>*

1. Lineal descendants of the inheritee;

2. Lineal ascendants of the inheritee;

3. Brothers and sisters of the inheritee; and

4. Collateral blood relatives within the fourth degree of the inheritee.

(2) In the case mentioned in paragraph (1), if there are two or more inheritors standing in the same order, the closest in degree of relationship shall have the priority of inheritance. If there are two or more inheritors standing in the same degree of relationship, they become coinheritors.

(3) With respect to the order of inheritance, an unborn child shall be considered as born. <Amended by Act No. 4199, Jan. 13, 1990>

SECTION 3 Effects of Inheritance

Sub-Section 1 General Effect

Article 1005 (Inheritance and Succession of Blanket Rights and Duties)

An inheritor succeeds, from the time of the commencement of the inheritance, to the blanket rights and duties pertaining to the property of the inheritee: Provided, That this shall not apply to the property which is entirely personal to the inheritee. <Amended by Act No. 4199, Jan. 13, 1990>

Sub- Section 2 Shares f Inheritance

Article 1009 (Legal Portions in Inheritance)

(1) If there exist two or more inheritors in the same rank, their shares of the inheritance shall be equally divided. <Amended by Act No. 3051, Dec. 31, 1977; Act No. 4199, Jan. 13, 1990>

(2) The portions inherited to an inheritcc's spouse shall be increased by fifty percent over the inherited portion of his or her lineal descendant where he or she inherits jointly with his or her descendants, or fifty percent over the inherited portion of his or her lineal ascendant where he or she inherits jointly with his or her lineal ascendants. <Amended by Act No. 4199, Jan. 13, 1990>

(3) Deleted. <by Act No. 4199, Jan. 13, 1990>

CHAPTER II WILLS

SECTION 3 Effect of Wills

Article 1073 (Time for Effectiveness of Wills)

(1) A will becomes effective upon the death of the testator.

(2) Where a will is subject to a precedent condition, and the condition is fulfilled after the death of the testator, the will becomes effective upon the fulfillment of the condition.